49 1 2 1

G. R. S. 58]
Previous references.

File No. 239-09

1909

Serial Nos. 1—8

(Ch)

Later references.

Ch 261-10
Ch. 333-11-(1-4)
" 190-38(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—8

Part B for July 1911.

SUBJECT.

Rules regarding classification, arrangement, &c of the records of Sub-ordinate Civil Courts.

R. A. Subject. No 45-09—

Table of contents

1. To the Registrar, Chief Court. No 3060 dy 16.4.10,
calls for the opinion of the Chief Court in the matter
2. From the Regr. Ch. Ct. No 4582/109 dy 22-4-10.
States that the proposed rules are objectionable and that the matter is under consideration
3. From the same officer. No 1264 dy 10-9-10
forwards for sanction a draft rule of practice regarding the classification &c of the records

GPB—5,000—22-10-10

P.T.O.

4. To the Regr. Ch. Ct. No J 1230 dy 11.10.20.
Calls for the rules in the Bengal &
Madras Presidencies
5. From the Regr. Ch. Ct. No $\frac{1782}{112}$ dy 25.10.20
Forwards the rules.
6. To the Regr. Ch. Ct. No J 2149 dy 27.10.
Requesting to be furnished with
the opinions of the Law Associations in
the State.
7. From the Regr. Ch. Ct. No $\frac{4784}{295}$ dy 17.4.11.
Transmits the opinions of the
Law Associations with the remarks
of the Chief Court thereon.
8. To the Regr. Ch. Ct. No J 4 dy 1.7.11.
Sanctions the proposed
rules with a modifications.

G.R.S.11] 1909-10

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

Ct File No. 239-09.

FILE HEADING.

Rules re classification, arrangement &c, of the records of the Subordinate Civil Courts.
(R.A Subject No 46-09)

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

J. J. O.

NOTES—First sheet.

GPB—30,000—3-4-07

1. SUBJECT NO. 45.

Preservation of civil records.

Mr. S. R. Balakrishna Rao, Shimoga Municipality.

Summary of discussion.—The periods assigned for the preservation of the various kinds of records are very short. Execution applications, depositions of witnesses, exhibits, attachment lists and sale certificates may be preserved for about thirty years.

Reply of Government.—Will be referred to the Chief Court.

1 Draft to the Chief Court is submitted for approval.

HCS SN 12/4/10.

12/4

12/4

13/4.

1 To the Registrar of the Chief Court
No 3060 & 16-4-1910.
Calls for the opinion of the Chief Court in the matter.

2 From the Registrar, Chief Court.
No 4582/269 & 22-4-1910
States that in the opinion of the Chief Judge, the Mysore Rules are open to great objection and that he is Considering whether it will be better to amend the rules or to introduce the Bengal System.
Subd for orders.

HCS SN 29-4-1910 29/4

We may await the further report from the Ch-Ct-

29/4/10 SH 4/5

(1 Sec'y)

SH 2/5/10

G. R. S. 12]
General and Revenue Secretariat.

Cts. File No. 239 of 1909-10.

Serial No. 3

From the Registrar of the Chief Court
No 1264/77 D 10.9.1910.

Forwards for sanction a draft Rule of Practice for the classification arrangement, custody preservation and destruction of the records of Civil proceedings of Subordinate Courts.

Subd for orders.
Hes SN 19.9.10.

As stated in the letter under disposal, the records in the ~~record room~~ Central Records were arranged according to institutions till 1st July 1908 but now they are arranged according to the date of their disposal so that the work of destruction can be got through automatically. The same principle runs through the new rules now submitted by the Chief Court for the approval of Govt.

There are however certain inevitable disadvantages. As everything has had to be subordinated to this end* the draft rules are a trifle more complex than the existing rules — the classification of records, for example, and their subdivision into parts being very elaborate. It has also to be noted that

* Creating facilities for destruction

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

that under the new System the record will be shown under need not necessarily be a single volume, for example, it may consist of 3 files viz A, C & D, the records of the District Courts. Again, the presiding judge of the Court has himself to decide in respect of each record falling under class III whether it shall consist of one file or two, having regard to the nature of the case and the use to which the record is likely to be put. It is a question for consideration whether the judges of the Lower Courts, several of whom are very hard worked, should be made to devote a portion of their time for this work, which till now has been satisfactorily discharged by the ministerial officers of the Court under the general supervision of the Judge.

2) Apart from the facilities created for the early destruction of records (not for their production when wanted – for in such cases the date of disposal has to be mentioned in the requisition in addition to the number of the list) the new rules do not materially differ from those now existing

In case of joints

5444

2nd

27/9/10. SA

GPB—55,000—27-4-09

G. R. S. 12.]
General and Revenue Secretariat.

Ch File No. 239 of 1909-10

Serial No.	
4	Please let for reference the Ben- Bombay Madras Jail & ~~other~~ Rules. Probably they are found in the books of Rules of Practice in the Ch. Court. 29/9/10
	Ch 30/9/10 Submitted. We have got only the Bombay Rules in our office. The Bengal and Madras Rules may be obtained from the Chief Court. Submitted with a draft 8.10.10
	11
4	To the Registrar, Chief Court. No J 1230 & 11.10.10. Calls for the Rules in the Bengal and Madras Presidencies.
5	From the Registrar of the Chief Court of Mysore. No 1782/112 & 25.10.10 Forwards the Rules.
12	Subs. The Bengal, Bombay and Madras Rules, called for by the 2nd

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G.R.S. 12]
General and Revenue Secretariat.

Cs File No. 237 of 1910-11

Serial No.

Councillors are herewith submitted. Some of the members of the Representative Assembly requested that the Rules should be referred to the Bar Associations at Bangalore & Mysore. Final orders on the R.A. subjects may perhaps be awaited before submitted for orders.

Acs 7-11-10

10 To await final orders on the D.R.A. Subjects will take time. The members were told at this year's assembly that the draft rules would be sent to the Bar Ass[n]s of Bangalore Mysore and Shimoga for opinion

14 This may be done now

8/11/10

718.

2nd 15 Send through the Ch Ct. with the Dewan's permission

The file with the books may be sent to me afterwards. 9/11/10

Submitted H Excn

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

C/S File No. 239 of 1909

Serial No.

for favour of orders as to whether the ~~draft rules~~ may be the opinions of the Law Associations ~~x~~ may be invited through the Chief Court

X. of Bangalore, Mysore & Shimoga

16/11/10.

86 56 (1 book) 12.11.10

Decision ? to certain

C/S Postponed

1/11

17/1/11

Draft Rules

HCS (122) 28-1-11.

Issue soon

24/1/11.

27/1/11

6 To the Registrar, Chief Court

No 2149 dt 2.1.1911

Requesting to be furnished

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G.R.S. 12]
General and Revenue Secretariat.

C° File No. 239 of 1909/10.

Serial No.

with the opinions of the Law Associations of Bangalore, Mysore and Shimoga.

67 From the Registrar, Chief Court
N° 4784/295 of 17.4.1911.
Forwards the opinions of the Law Association with the remarks of the Chief Court thereon.
Submitted for orders, with the Bombay Rules
Secs (122) SN(11) - 24-4-1911. 26/4/11

91 - The only Suggestions made by the Law Associations regn to the periods of preservation of records going into "B", "C" & "D" files. The Bangalore Law Ass^n desire that the important papers in Class II should go to file A, that is, be preserved for Ever. The Chief records of this class regn applications for probate, letters of administration, Certificate of heirship, guardianship of minors and declaration of insolvency. None of these proceedings appears to be so important as to justify the

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

preservation of the records for 5 or for a longer period than 25 years. The rule regarding Class II may therefore remain as it is (Period fixed is 25 years).

2. All the three associations want the period for "C" files to be raised to 20 or 25 years. The draft rules fix 12 years and this seems to be sufficient.

3. The Chief Court have no objection to raising the period for 'D' files to 3 years. This may perhaps be approved and the rules as thus modified sanctioned.

4/5/11.

2nd C. of Dewan)

4. The rules of 1905 give different periods for preservation of papers belonging to different parts (I, II & III) of records under different classes. In this respect, the proposed rules

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

are delightfully simple; One has only to know whether the papers are in files A, B, C or D; and they are to be kept for ever, or for 25 yrs or for 12 or for 1 year, whatever class the progs may appertain to. This effect however is attained by means of labour expended at the time of classifying and arranging papers.

5 The advantages of the new rules as compared with the older rules may be easily exaggerated ~~and the defects~~ noted by the Ch. Ct. in the old rules could be easily mended

6 In the new rules proposed, ~~the~~ it is not difficult to detect anomalies. E.g. all papers in ~~file~~ class II are arranged only in file B, which will be retained 25 years. ~~Now class II consists~~ ~~not only of misc. progs (as previously stated by the Asstt Secy) but also of all suits (contested and uncontested) not falling in class I.~~ Now Why should this file be burdened with papers

~~But [illegible] is hardly required to the description [illegible] for Checking work in [illegible] which includes [illegible] Suits [illegible] in class II etc.~~

Sd

Not Considered
2nd Sd
16/5/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

which (when belonging to such falling in cl. I. of greater importance) may fall ~~[illegible]~~ in files C & D, for the full period of 25 years?

7. The rules will take some time to be properly understood, but after that, they will, notwithstanding any minor defects, be conducive to good results. In fact, in such matters, it is the working not so much the rules that matter ~~[illegible]~~

With the modifications suggested in the Asst Secy's note, the rules may be sanctioned.

Dewan 6/5/11

7/5/11

Early

Lapse

11618
15.5.11

Issue ordered by

8/5/11

R. S. 12]
General and Revenue Secretariat.

Ch File No. 259 of 1906-10 -

Serial No.	
	Draft & Subd HC3 (122) SN(11) 1.7.1911.
	D S See today Sd 1/7/11.
	B Rec 1/7/11
8	To the Registrar, Chief Court No 94 d 1.7.11. Sanctions the proposed rules with a modification.

SUBJECT No. 47.

Permanent preservation of certain documents produced in courts.

Mr. N. D. Venkataramaiya, Hole-Narsipur Taluk.

Summary of discussion.—In the course of judicial enquiry many documents are produced before courts. Of these, some require permanent preservation. After the disposal of cases these are included among those to be destroyed after three years. As such practice leads to great inconvenience and loss to parties, it is prayed that under heading (1) on the facing sheet of judicial records these documents be shown as for permanent preservation.

Reply of Government.—This subject is connected with the last one and the member may communicate his views to the Law Associations in the State, which will be consulted in the matter.

To be filed for orders. This may perhaps be simply filed with the papers on the subject (122)
1/5/1911
1/5/11

Yes
2/5/11

To be filed for reference
2/5

15

SUBJECT No. 46.

Preservation of records in civil cases.

Messrs. C. Subba Rao, Shimoga Municipality, and S. R. Balakrishna Rao, Nagar Sabha.

Summary of discussion.—The periods now prescribed for the preservation of the various records in civil cases are very short. Vernacular depositions of witnesses, exhibits, written statements filed by the parties, attachment lists and sale certificates may be allowed to be preserved for a longer period, say about 30 years.

Mr. Balakrishna Rao, speaking on the above representation, requested that before the Government adopted the new rules said to have been sent up by the Chief Court, the Law Associations might be consulted.

Reply of Government.—This will be done.

Submd for orders. The opinions of the Bar Associations on the draft Record Rules have been separately obtained ~~and the question is~~ and are being considered by Govt. This may perhaps be simply filed along with the connected papers.

Jud (22)
1-5-1911

2/5/11

G.R.S. 26]

13/4

File No. 23 ag

Serial No. 1

Diary No. of letter replied to

No. J 3060

General and Revenue Secretariat

(cls)

the 190

To The Registrar of the Chief Court of Mysore

Has the honor to invite his attention to Subject N°25 of the Proceedings of the Representative Assembly of 1909, and the reply of Govt thereto, in the matter of the preservation of ~~the~~ certain records of Civil Courts, and to request him to be so good as to favour Govt with the opinion of the Chief Court in the matter

By order

over.

Date of issue 16/4/10.

Signed by Sr S Srinivasamaiya

SUBJECT.

For Secy

AFC

HCS

12-4-1910

Copied by
B Krishnamurthy
15-4-10

No: 4582/269 Ch239-09-2

J2715

Chief Court of Mysore, Bangalore.

Dated the 22nd April 1910.

26"

From

V.A. Rajaratna Mudaliar Esq.,

Registrar, Chief Court of Mysore.

To

C.S. Balasundaram Iyer Esq.,

Offg. Secretary to Government,

General & Revenue Departments.

Sir,

With reference to your No.J.3060 dated 16th instant calling for the opinion of the Chief Court about subject No.45 of the Proceedings of the Representative Assembly 1909, re the preservation of certain records of civil courts, I am directed to state that the Rules at present in force for the arrangement and destruction of records are contained in Rule of Practice No. 122 dated 26th September 1905. They are, in the opinion of the Chief Judge, open to great objection in many respects and are working anything but smoothly. It is no doubt a strange anomaly that all evidence (oral and documentary) should, for the purpose of elimination, be placed in the same category with processes. The only good system in British India is the Bengal System which was introduced into the Central Provinces in 1896 and has always worked quite satisfactorily. The Chief Judge has been making full enquiries on the subject at Mysore during the last few days, and he is considering whether it will be better to amend the Rules now in force, or to introduce the Bengal system.

I have the honor to be,

Sir,

Your most obedient servant,

Registrar.

No 1264/77 Revenue File

1749

Bangalore,
10th September 1910.

From,

The Registrar of the Chief Court of Mysore.

To,

The Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

I am directed to submit for the sanction of the Government the accompanying draft of Rules for the Classification, Arrangement, Custody, Preservation and Destruction of the records of Civil proceedings of Subordinate Courts.

2. The present rules which were sanctioned in 1905 leave very much to be desired. In the first place the Classification is faulty. In possessory suits under section 9 of the Specific Relief Act, Part I is preserved in perpetuity. On the other hand, Cases relating to the Estates of minors and Cases under the Succession Certificate Regulation are destroyed after 3 years. In the second place the arrangement is not logical. A judgment passed after remand goes into Part II whereas a judgment passed before remand is included in Part I. The memorandum of issues goes into Part III as also does the whole of the documentary and oral Evidence! The single Index violates the elementary rule that there should be a separate Index for each Part.

3. The rules now proposed are a simplified form of rules which have worked admirably in Bengal for more than 20 years. The arrangement of records is perfectly simple. The majority of records consist of a single file and in only a small proportion are 3 files prepared. The elimination is equally simple. At the commencement of the second year all blue files are destroyed; at the commencement of the 13th year all yellow files are simi-

larly

larly dealt with and so on.

4. Prior to July I908 the records in the Central Record rooms were arranged according to institutions and not according to disposals with the result that the work of elimination is attended with very great difficulty and is years behind hand.

5. Four forms of Title pages which have been in use in the Central Provinces for the last I4 years are forwarded with this letter; also a specimen form of the Table of Contents. For the Mysore records a cheaper style of paper is proposed and in all probability the colors will be somewhat changed. These matters are being arranged for by the Chief Judge in consultation with the Superintendent of the Press.

6. The present rules will supersede the rules on pages II7 (1) to I23 and I27 (2) to I29 of the Civil Digest. All the registers are being revised and when the list is complete Table D (3) on page I24 will be rewritten.

7. If early sanction is accorded it will be possible to bring the new system into effect from the commencement of I9II-I2.

I have the honor to be,

Sir,

Your most obedient servant,

Registrar.

Rules for the classification, arrangement, custody, preservation and destruction of the Records of Civil Proceedings of Courts subordinate to the Mysore Chief Court.

SECTION I.

The Classification of Records.

1. The records of Judicial Proceedings, whether suits or cases, are divided into four classes.

2. Class I includes records of—

(*a*) Suits for or affecting immovable property, including suits for foreclosure, sale or redemption.

Exception.—Suits under Section 9 of the Specific Relief Act should be included not in this class but in class III.

(*b*) Suits in respect of the succession to an office, or to declare the validity or invalidity of an adoption, or otherwise to determine the status of an individual.

(*c*) Suits relating to public trusts, charities, endowments, rights or customs.

3. Class II includes records of—

(*a*) Contested and uncontested suits and cases for Probate and Letters of Administration and for the revocation of the same.

(*b*) Cases relating to the guardianship of minors and the administration of their property.

(*c*) Cases relating to the guardianship of lunatics and the care of their estates.

NOTE—An application by an executor or administrator, or by the guardian of a minor or lunatic to sell, mortgage, etc., property belonging to the estate, is an application in the case and together with all the proceedings connected with it must form part of the record of the case.

(*d*) Cases under the Succession Certificate Regulation, 1901.

4. Class III includes records of all suits and miscellaneous cases which do not come under class I or class II.

5. Class IV includes—

Proceedings on an application to execute a decree.

NOTE—Under the law all such proceedings are proceedings in the suit and they must be instituted as such; but for the purpose and ultimate disposal of the record, each application for execution shall be treated as a separate case, the record of which shall include the papers on all matters connected with the execution from the date on which the application was presented until it is finally disposed of.

(e) Insolvency cases.

SECTION II.

The Arrangement of the Record during Trial.

6. Every record under class I shall consist of three files to be styled and marked respectively File A, File C and File D.

7. File A shall contain the undermentioned papers which shall be arranged in the following order:—

(*a*) Table of contents.

(*b*) The Order sheet.

(*c*) The plaint or application together with any schedule annexed thereto.

(*d*) Any process served upon the defendant together with the return of service in cases decreed *ex-parte*.

(*e*) Written statements.

(*f*) The memorandum of issues.

(*g*) Any award of arbitrators or petition of compromise if given effect to in the decree; also the report together with the map (if any) of a commissioner in matters relating to immovable property, if referred to or given effect to in the decree, but not any portion of the evidence taken by such commissioner; also in the case of minors or lunatics any order of the Court sanctioning a compromise as beneficial to the minor or lunatic.

(*h*) Any order for administration or for partition or for accounts or inquiry with the directions given and the judgment upon which such order is founded.

(*i*) The judgment or final order.

(*j*) The preliminary decree (if any) and the final decree.

(*k*) The copy of any judgment and decree passed on appeal or revision.

(*l*) Any other paper which the presiding Judge may, for reasons to be recorded in writing, order to be placed in File A.

8. File C shall contain—

(*a*) Table of contents.

(*b*) Lists of documents admitted in evidence.

(*c*) All the evidence, oral and documentary, upon which the subject-matter of the suit is decided.

(*d*) All petitions and papers not specified as included in any other file.

9. File D shall contain—

(*a*) Table of contents.

(*b*) All summonses, processes, returns thereto, lists of witnesses, petitions relating to the attendance of witnesses or adjournments, proceedings calling for or sending papers or records and affidavits relating to matters mentioned in this rule.

10. Every record under class II shall consist of one file to be styled and marked File B, which shall contain all the papers relating to the case.

11. Every record under class III shall consist of one or two files according as the presiding Judge shall in each instance direct. If there is one file it shall be styled and marked File C, if there are two files, they shall be styled and marked File C and File D. When there is only one file it shall contain all the papers relating to the case. Where there are two files, File C shall contain the papers specified as included in Files A and C of class I; and File D shall contain the papers specified as included in File D of class I.

NOTE—In deciding whether there shall be one or two files the Judge shall have regard to the nature of the case and the size to which the record is likely to attain.

12. The papers in File C of class III will be arranged in the following manner:—The papers which would belong to File A if the case were of class I will be placed in the order prescribed for File A; then will follow the papers which would belong to File C. The papers which would belong to File D will, if File D is not prepared, be put last of all.

13. Every record under class IV shall, except in the cases specified below, consist of one file to be styled and marked File C, which shall contain all the papers relating to the case. If the application is to execute a decree in a suit included in class I and a question is determined as to the construction of the decree or its effect as regards all or any of the parties thereto, or if possession is given of immovable property in pursuance of the decree, the record shall, as soon as the application is finally disposed of, be divided into two files to be styled and marked respectively File A and File C.

In that case File A shall contain—

(*a*) Table of contents.

(*b*) The Order sheet.

(*c*) The application for execution.

When a question as to the construction, effect, or scope of the decree is raised and determined.

(*d*) The petition raising any question as to the construction or effect of the decree and any counter-petition.

(*e*) The judgment of the Court on such question.

(*f*) The copy of any judgment passed on appeal or revision.

When possession of immovable property is given in pursuance of the decree.

(*g*) The Nazir's return of delivery of possession.

File C shall contain all other papers.

14. The record of the Appellate Court shall be arranged in the same way as that of the Court of original jurisdiction except that there shall be no D file, the papers which would belong to the D file being attached to the C file. The copies of judgment and decree filed with the memorandum of appeal shall be placed in C file.

The files shall be marked A, B or C as in the Court of first instance, according to the nature of the suit or case.

15. The pleadings, applications and proceedings in every suit or case shall, as far as possible, be attached to the file to which they belong as the trial proceeds and shall be arranged in the order in which they are brought before the Court.

16. The depositions of witnesses shall be arranged in the order in which they are given.

17. The distribution of the papers into the proper files must in all cases be made before the record is deposited in the Central Record-room, the object being to avoid the necessity of sorting the papers in the Record-room and to enable the Record-keeper to know at once by referring to the title page what files can be destroyed at any given time.

18. A specimen form of the table of contents, which is the first paper in each file, is appended:—

Table of contents.

Suit (or case) No. of.

Class— File—

Serial number of paper	Sheets	Description	Value of Court-fee stamps	Remarks
1	2	3	4	5
1	1—3	Order sheet	...	
2	4—5	Plaint	50	
3	6—8	Written statement	...	
4	9	Memorandam of issues	...	
5	10—12	Judgment	...	
6	13—14	Decree	...	
Total value of Court-fee stamps		On plaint	50	
		On other papers	...	

Exhibits are not to be shown in the table of contents. The lists which are attached to them will alone be shown in the table and will bear serial and sheet numbers.

19. To each file of every record under classes I, II and III there shall be prefixed a title page in the following form :—

Title Page.

Class— File—
In the Court of the..... of.....
Suit (or case) No.....of.....
Name of first plaintiff (or applicant)—
Name of first defendant (or opponent)—
Date of decision—

20. To each file of every record under class IV there shall be prefixed a title page in the following form :—

Title Page.

Class IV. File—
In the Court of the ..... of .....
Execution Case No. ..... of .....
Original Suit No. ..... of .....
Name of first decree-holder—
Name of first judgment-debtor—
Date of disposal—

21. The title pages shall be of different colours :—

The A File title page shall be white.
The B File title page shall be red.
The C File title page shall be yellow.
The D File title page shall be blue.

SECTION III.

The Transmission of Records to the Central Record Room.

22. The records of all cases (Regular and Small cause suits, Miscellaneous cases, Execution cases and Appeals) disposed of in each Court shall be retained in that Court for a period of three clear months after disposal. At the commencement of the fourth month the records will be forwarded to the Central Record Room. Thus the cases disposed of in January will be despatched at the commencement of May and so on.

23. Each monthly bundle of records will be accompanied by lists showing the disposal of (1) Regular suits, (2) Small cause suits, (3) Miscellaneous cases, (4) Execution cases and (5) Appeals during the month. The particulars of all cases disposed of must be entered in the lists and when for any reason a record is kept back a note to that effect will be made in the column of remarks.

24. The lists shall be in the following form :—

List of ... { Regular suits / Small cause suits / Miscellaneous cases / Execution cases / Appeals } { disposed of in the Court of the ..... of ... during the month of ..... 19 .

Serial number of disposal	Date of disposal	Serial number in Court register with year	Plaintiff, applicant, decree-holder or appellant	Defendant, opponent, judgment-debtor or respondent	Remarks
1	2	3		5	6

Note.—The serial number (column 1) is an annual number and will correspond with the number in column 1 of the Record Room register.

25. On the arrival of the records in the Central Record Room the Record-keeper will ascertain that the records correspond with those entered in the lists, that the contents of each file correspond with the table of contents, that the papers bear the Court-fee stamps shown in such table and that the stamps have been duly cancelled. He shall also cause the stamps to be again punched with the triangular punch provided for that purpose.

26. The Record-keeper will bring to the notice of the District Judge any irregularities that may have occurred in connection with the arrangement or despatch of the records or in regard to the cancellation of the stamps.

27. When a record is removed from the Central Record Room for any purpose, the Record-keeper will enter, in a register to be kept for that purpose, a note of the number of the case, the names of the parties, the designation of the Court or officer to which or to whom the record is sent and the date of its removal. On the return of the record the Record-keeper will note in the same register the date of the return.

SECTION IV.

The Preservation and Destruction of Records.

28 The A Files shall be preserved for ever.

The B Files shall be destroyed at the end of 25 years.

The C Files shall be destroyed at the end of 12 years.

The D Files shall be destroyed at the end of one year.

29. The above periods shall be calculated as regards suits or cases of classes I, II and III from the date of the final decree or order which in cases appealed will be that of the Appellate Court.

30. In cases of class IV the period shall be reckoned from the date on which the application for execution was finally disposed of by the Court executing the decree, or by a Court of appeal, whichever is the later date. For the purposes of this rule each execution record shall be dealt with separately, irrespective of any other application to execute the same decree or order.

31. The destruction of all papers shall be effected by burning in the presence of the Record-keeper and of a responsible officer not below the rank of Sheristadar.

32. A note of every file destroyed under the above rules shall be made at the time of destruction in the register in which the case is entered under the signature of the Record-keeper.

II 129/1-97

Ch. III—S. F. 15b A.
C. J. E.

FORM No. 233

TITLE PAGE.

CLASS I File A.

In the Court of the _____ *of* _____

Suit (or Case) No. _____ _____ *of 189*

_____ *Plaintiff.*

_____ *Defendant.*

Name of first Plaintiff and of first Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT .....

DITTO OF APPELLATE COURT .....

TITLE PAGE.

CLASS II File B

In the Court of the _____ *of* _____

Suit (or Case) No. _____ *of 189*

_____ **Plaintiff.**
_____ **Defendant.**

Name of first Plaintiff and of first Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT.....

DITTO OF APPELLATE COURT.....

II—184
C. J. L.

TITLE PAGE.

CLASS III File C.

In the Court of the _____

Suit or Case / Appeal *No.* _____ *of 19* .

Record-room No. _____ *of 19* .

_____ *Plaintiff.*

_____ *Defendant.*

Name of first Plaintiff and of first Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT .....

DITTO OF APPELLATE COURT .....

Mag. C. J.—1150-L. C.—7 & 10—1,01,296—M

II · 132
~~Cor. III, S. F. 158 D.~~
C. J. E.

FORM No. 236.

TITLE PAGE.

CLASS I File D.

In the Court of the _____ *of* _____

Suit (or Case) No. _____ *of 189*

_____ Plaintiff.
_____ Defendant.

Name of first Plaintiff and of first Defendant only need be entered.

DATE OF DECISION OF ORIGINAL COURT _____

DITTO OF APPELLATE COURT _____

C. J. E.

Table of Contents.

Court of _____ *District* _____

Suit _____ *Case* _____ *appeal No.* _____ *of 191*

Name of 1st Plaintiff or Applicant _____

Name of 1st Defendant or opposite party _____

Class **File**

Serial No. of paper.	Sheets.	Description.	Value of Court-fee Stamps.	Remarks.

Total value of Court-fee stamps { On plaint / On other papers

Compared and found correct.

Signature of Court Reader

Record-keeper.

Dated _____ *191*

Nag.—1163—L. C.—24-2-10—4,30,820

G.R.S. 26]

File No. 239-07

Serial No. 4

Diary No. of letter replied to 743

No. J 1230.

General and Revenue Secretariat

(G)

, *the* 19 .

To

The Registrar of the Chief Court of Mysore

Date of issue 11-10-10

Signed by ~~for Sd~~

for Lakshminarasimhaiah.

with reference to his letter No 1264 dated the 10th September 1910, forwarding a set of Rules, relating to the record of the Civil Courts, has the honor to request him to be so good as to forward to this office, the Rules of Practice ~~of~~ obtaining in ~~the~~ the Bengal and Madras Residencies. for reference

B.O

Sd

for Secy.

over.

SUBJECT.

Sd 8/10

Dft 8-10-10

Ord. 11/10 Sd

No. 1782/112 In 2 Books

Bangalore 25th October 1910

From

The Registrar of the
Chief Court of Mysore.

To

The Offg: Secretary to Govt:
Genl: & Rev: Departments

Sir,

With reference to your docket No. J 1230/Cts. 239-09 dated the 11th Instant, I am directed to forward herewith the marginally noted books and to request that the same may be returned with as little delay as possible.

1. Calcutta Rules of Practice
2. Madras Civil Courts Guide —

I have the honor to be,

Sir,

Your most obedient Servant,

(Sd) Illegible
Registrar.

1147/25-1-11

G.R.S. 26]

File No. 239-09

Serial No. 6

Diary No. of letter replied to

No. J 2149/cs-239-09.

General and Revenue Secretariat
(cs)
, *the* 19 .

To

The Registrar, Chief Court of Uva, Bse.

Date of issue 24-1-11

Signed by Wm E Wijeyamanaya

Sir,

Adverting to ~~his~~ your letter No 1264/77 dated the 10th September 1910, forwarding a draft of the revised Rules for the Classification arrangement &c. of the records of Civil proceedings of Subordinate Courts, I am directed ~~has the honor~~ to request ~~him~~ to be so good as to

over.

SUBJECT.

may be furnished with
~~forwarded~~ Govt. ~~with~~

the opinions of the
Law Associations of
Bangalore, Mysore
and Shimoga in regard to
the proposed rules. ~~By order~~
I have the
honour
to be
Sir
Your obedt. Servt.

SW(11)
28/4/11

26/4
Secy (Law)
23.1.11

List of enclosures,

Copied by

Examined by SW

GPB—20,000—12-8-10

No 4784 Jus: 3.
295

Bangalore,
17th April 1911.

847

From

The Registrar of the Chief Court of Mysore.
B A N G A L O R E .

To,

The Officiating Secretary to the
Government of Mysore,
General and Revenue Departments.

Sir,

With reference to your letter No. J.2149 dated the 27th January 1911, I am directed to forward copies of the opinions of the Law Associations of Bangalore, Mysore and Shimoga in regard to the proposed rules.

2. As was only to be expected no very practical suggestions have been made, and the fact that our central Record Rooms are becoming rapidly overcrowded is left out of account altogether.

3. The following brief notes on the suggestions put forward is appended:-

B A N G A L O R E .

Class II cases are few in number and of small bulk. It is quite unnecessary to break up these cases into two files or to retain any part in perpetuity. The seggestion to retain C files for 20 years is not approved. These files contain all ~~e~~ Evidence Oral and Documentary. Under our present rules Part III which contains the Evidence is destroyed after three years. The proposal is to raise this period ~~xxxxxxxxxx~~ to twelve years which ought to satisfy everybody. The suggestion to give notice ~~to~~ in the Gazette regarding the destruction of documents is quite impracticable. If a party ~~or~~ or a witness does not reclaim his

Exhibits

No. 51

The Law Association
District Court Buildings
Bangalore, Dated, the 15th April 1911

From,

The Secretary,
Law Association,
B a n g a l o r e .

To,

The Registrar of the
Chief Court of Mysore,
B a n g a l o r e .

Sir,

With reference to the draft rules for the classification, arrangement, custody, preservation and destruction of the records of Civil Courts, I have the honor to state that the Law Association is of opinion that the proposed rules may be adopted with the following modifications:-

I. Class II may consist of two files A & B.

"A" file to contain,

(a) the order appointing a guardian for the property of a lunatic,

(b) the surety bond,

(c) the statements of accounts furnished by such guardians;

"B" file to contain all other papers of Class II.

II. The period for the destruction of B & C files may be raised to 30 and 20 years respectively.

III. In regard to exhibits of file C other than documents which became merged in the decree a month's special notice may be given to the parties and witnesses producing them by publi-

cation

Mysore.

Dated1st April 1911.

From,

The Secretary,

The Bar Association,

Mysore.

To,

The Registrar of the

Chief Court of Mysore,

Bangalore.

Sir,

In reply to your docket no:3679/8I 243 dated13th February 1911, in re the classification of the records of Civil Proceedings of the Subordinate Courts, I have the honor to inform you that the opinions of the members of the Bar is that the proposed arrange-ments of the records into parts and files seems to be fair. But as to the destruction of records the period now fixed for files B and C, the association is of the opinion, may be raised to 30 and 20 years respectively.

I have ~~the honor to be~~ &c

~~Sir~~,

~~Your most Obedient servant~~,

Sd/-K.Chandrasekhariah.
Secretary.

"Copy"

REGISTRAR.

MD.

From,

The Secretary of theLaw Association,

Shimoga.

To,

The Registrar of the Chief Court of Mysore,

Bangalore.

Sir,

With reference to your docket no:3679-8I/C.No.243 dated the 9/I3 th February last, inviting the opinion of the Law Association,Shimoga, in re the rules for the preserval etc: of the records in Civil Cases, I have the honor to submit the following as their ~~xx~~ opinion:-

2. The Association think that the durations prescribed for the preservation of the records in Files C and D are too short and suggest that C Files be preserved for at least 25 years instead of I2 yaars and D Files for 3 years instead of only one year.

I have ~~the honor to be~~,&c

~~Sir~~,

~~Your most Obedient servant,~~

Sd/-S.R. Ballakrishna Rao.
Secretary,
The Law Association,
Shimoga.

.The Lawer's Rooms,
Shimoga.
25th March,I9II.

"Copy"

REGISTRAR.

BD.

√

2665/17/2.45

G.R.S. 28.]

Cts File No. 239-09

Serial No. 8

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

the 19

Date of issue 1-7-11.

Signed by Mr S. Srinivasaiyn

READ— Letter No 1264/17 dated the 10th Sept 1910 from the Registrar of the Chief Court of Mysore, forwarding for Sanction a draft Rule of Practice for the Classification arrangement, Custody preservation and destruction of the records of Civil Proceedings of Subordinate Courts

ORDER THEREON.—No.

over

SUBJECT.

2- Correspondence ending with letter No 4786/295 dated the 17th April 1911 from the same officer, furnishing the opinions of the Law Associations at Bangalore, Mysore and Shimoga in regard to the proposed rules ~~Bdas~~ with the remarks of the Chief Court thereon

Order thereon No:- J4/cb239-09-89 1-7-11

Govt are pleased to sanction the draft rules prepared by the Chief Court with the modification that "A" Files shall be destroyed at the end of 3 years instead of after one year only

Sd
for Secy

To

The Registrar, Chief Court of Mysore

SN(4)
1.7.11

1/7